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MAR 16 2004

PTO/SB/30 (5/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/807,509
Filing Date	June 25, 2001
First Named Inventor	Fritz GRUNERT et al.
Group Art Unit	1632
Examiner Name	Wehbe, Anne Marie Sabrina
Attorney Docket Number	24741-1523

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. s 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114.
a. <input type="checkbox"/> Previously submitted
i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on <i>(Any unentered amendment(s) referred to above will be entered)</i>
ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on
iii. <input type="checkbox"/> Other
b. <input checked="" type="checkbox"/> Enclosed
i. <input checked="" type="checkbox"/> Amendment/Reply
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)
iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
iv. <input type="checkbox"/> Other
2. Miscellaneous
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b. <input type="checkbox"/> Other
3. Fees
The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a. <input checked="" type="checkbox"/> The Director is hereby authorized to credit any overpayments to Deposit Account No. 08-1641 (Docket No. 24741-1523)
i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. <input type="checkbox"/> Other
b. <input checked="" type="checkbox"/> Check in the amount of \$770.00 enclosed
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Marvin A. Motsenbocker	Registration No. (Attorney/Agent)	34,614
Signature	<i>Marvin A. Motsenbocker</i>	Date	3/16/04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Date	

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06/18/2004 EEKUBAY1 00000002 09807509

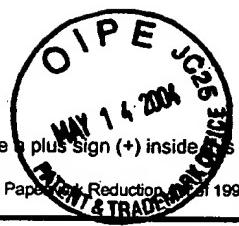
01 FC:2801

385.00 OP

Repln. Ref: 06/18/2004 EERUBH1 00000002 09807509
DAH:081641 Name/Number:09807509
FC: 9204 \$385.00 CR

03/17/2004 NGUYEN -00000054-09807509
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PTO/SB/21 (08-00)

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/807,509
Filing Date	June 25, 2001
First Named Inventor	Fritz Grunert
Group Art Unit	1632
Examiner Name	Wehbe, Anne Marie Sabrina
Total Number of Pages in This Submission	Attorney Docket Number 24741-1523

2001 MAY 14 PM 4:21

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Small Entity Status Post Card
<input type="checkbox"/> Information Disclosure Statement	<input checked="" type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Customer No. 26633

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Patricia D. Granados Reg. No. 33,683

Signature

Patricia D. Granados

Date

May 14, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____

Typed or printed name

Signature

Date



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STATE AND TRADE
UNITED STATES PATENT AND TRADEMARK OFFICE

2004 MAY 19 PM 4:21

Attorney Docket No.: 24741-1523

Applicant: Fritz Grunert et al.

Confirmation No. 9439

Appl. No.: 09/807,509

Examiner: Wehbe, Anne Marie Sabrina

Filing Date: June 25, 2001

Group Art Unit: 1632

Title: PROCESS FOR PREPARING ANTIBODIES AGAINST A
POLYPEPTIDE IN WHICH THE NUCLEIC ACID ENCODING THE
PEPTIDE IS KNOWN

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In a separate document being filed currently herewith, Applicants assert small entity status. A payment as large entity was made for this case on March 16, 2004. Because this formal notice of a change in status occurs within 3 months of erroneously paying a large entity fee, a refund of PTO fees respectfully is requested.

A Request for Continued Examination (RCE) fee in this application was paid on March 16, 2004, by check No. 086089, in the amount of \$770.00 established for a large entity. Applicants were, however, a small entity at that time and remains a small entity. Therefore, Applicants are entitled to a 50% refund of said fee, consistent with 37 C.F.R. 1.28 (a)(1).

The Patent and Trademark Office accordingly is requested to refund to Deposit Account No. 08-1641 the amount of \$385.00.

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This paper is being submitted in duplicate for the convenience of the Finance Branch.

STATUS AND
EXCERPT

22 MAY 17 PM 4:21

Respectfully submitted,

May 14, 2004

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By Patricia J. Granados

Patricia Granados
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~~ST AVAILABILITY~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fritz Grunert et al.

Confirmation No. 9439

STANDING AND QUALITY
RECEIVED

Serial or Patent No.: 09/807,509

Atty. Dkt. No. 24741-1523

2007 MAR 12 PM 10:21

Filed: June 25, 2001



For: PROCESS FOR PREPARATION OF ANTIBODIES AGAINST A POLYPEPTIDE IN WHICH
THE NUCLEIC ACID ENCODING THE PEPTIDE IS KNOWN

SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants assert small entity status regarding the captioned application. Applicants acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

Respectfully submitted,

May 14, 2004

By Patricia D. Granados

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